

Remarks

Claims 1-18 are pending in the application. Claims 10-18 have been canceled by this amendment, and claims 19-24 have been added.

The drawings were objected to because Reference character 48 in Figure 7 is not mentioned in the description. Applicants have amended the specification to include a reference to reference character 48. This amendment does not constitute new matter, as the text that was added to the specification is the text that was shown in the drawing as originally submitted. Withdrawal of this objection is requested.

Claim 8 was objected to for an informality. This informality was corrected by amendment to the claim above. Withdrawal of this objection is therefore requested.

Claims 5, 6, 12, 13, 17 and 18 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The lack of antecedent basis issues have been corrected in claims 5 and 6 by amendments above, and claims 12, 13, 17 and 18 have been canceled by this amendment. Therefore, withdrawal of this rejection is requested.

Claims 1 and 2 are rejected under 35 USC 103(a) as being unpatentable over Stevens (US Patent Application Pub. No. 2002/0145338) in view of Fouladpour (US Patent No. 6,608,264).

Stevens teaches an uninterruptible power supply. The entire circuit is directed to storing and providing power upon loss of a primary power supply. The incoming power port of Stevens is not adapted to receive power and data. The internal circuit in Stevens is not adapted to receive power and data from the incoming power port. Further, the circuit in Stevens is designed to control the incoming power drain. The outgoing power is restricted in response to the incoming power available on the line. See Stevens, paragraph 0022. This is

opposite what is claimed in the current application, where the incoming power is controlled responsive to the outgoing power.

Fouladpour teaches a cable that has a switch on it that allows a decision to be made as to whether or not to provide power to another device at the other end of the cable.

Fouladpour does not monitor the power required at the outgoing power port and then adjust the transfer of power from the incoming port to the power storage system and the internal circuit.

The combination of references therefore does not teach a device in which the outgoing power demand determines the allocation of incoming power to between an internal circuit and a power storage system. Neither reference, nor the combination thereof, regulates the incoming power based upon the outgoing power. Neither reference has a power storage system to "monitor power levels at the outgoing power port and to control power levels from the incoming power port and to the internal circuit responsive to the power levels at the outgoing power port" as required by amended claim 1. This amendment is amply supported in the specification such as on pages 4-5, and 6-8.

It is therefore submitted that amended claim 1, and its dependent claim 2, are patentably distinguishable over the prior art and allowance of these claims is requested.

Claims 3-18 are rejected under 35 USC 103(a) as being unpatentable over Stevens in view of Fouladpour as applied to claim 1, and further in view of Elkayam et al. (US Patent Application Pub. No. 2003/0099076).

As mentioned above, claims 10-18 have been canceled by this amendment. Applicant will address the combination of references with regard to claims 3-9.

As discussed above, the combination of Stevens and Fouladpour do not teach determining the allocation of incoming power between an internal circuit and a power storage system based upon an outgoing power need. Elkayam does not teach this either. As

discussed in Elkayam, the power distribution and control circuitry is to “receive the regulated power and *to generate therefrom respective output voltages* for supply to the powered devices...”

Therefore, the combination of references does not teach a power storage system to “monitor power levels at the outgoing power port and to control power levels from the incoming power port and to the internal circuit responsive to the power levels at the outgoing power port” as is required by amended claim 1, from which claims 3-9 now depend. It is therefore submitted that claims 3-9 are patentably distinguishable over the prior art and allowance of these claims is requested.

Newly added claims 19-24 are also not shown, taught or suggested by the prior art. Claim 19 requires reception of power and data through an incoming power port and then providing power at a predetermined level to an outgoing power port. Again, the method bases the allocation of power between an internal circuit and a power storage system on the needs of the outgoing power port. This is opposite of what is taught in the prior art. Claims 20-23 depend from claim 19, and claim 24 covers similar subject matter to claim 1.

It is therefore submitted that claims 19-24 are patentably distinguishable over the prior art and allowance of all claims is requested.

No new matter has been added by this amendment. Prior art made of record but not relied upon has been reviewed and is not deemed pertinent to Applicants' disclosure. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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